



I want to send this email to NJDEP

Felix Locicero to: Barbara.Hirst, Helen Pang

Cc: Antony Tseng, Rosella OConnor

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Barbara,

We need to bring the remaining pathogen issues to conclusion as soon as possible. As you know HydroQual has already done a number of things that were not expected or funded and needs to do additional unfunded work to provide NJDEP with what it needs to move forward with these TMDLs. As I understand it, before HydroQual can move forward, NJDEP must give HydroQual boundary load data/approach for the Saddle River and Dundee Dam. Robin has indicated that the following work has been completed or must be completed once NJDEP provides the boundary data/approach. HydroQual has been using existing funds to complete the unexpected work that has already been completed. Funding beyond what remains in the document development pot is necessary to complete the work that remains.

As discussed, additional funds are needed to cover two things. First, the modeling work we have done to date to address grid cell by grid cell compliance and annual vs. seasonal compliance. The idea would be to replenish those funds so we don't fall short on the document or tech support later. Second, the new work that NJ is asking for related to Passaic River and Saddle River tributary boundary geometric means.

Here is the additional scope:

-PATH model simulations to support EPA and the States in determining standard attainment at all locations in the Hackensack and Passaic Rivers. (completed by using existing funds)

-Processing of PATH model outputs to gage level of standards attainment outside the bathing season. (completed by using existing funds)

-Analysis of variation in NJHDG group Saddle River and Dundee Dam Enterococci data. The variation will be used for developing time variable concentrations (above and below 35/100 ml, not constant at 35/100 ml) of TMDL PATH model inputs that comply with the seasonal geometric mean standard. This provides relief/equity to upstream dischargers who should not be held to achieving 35/100 ml at all times."

-PATH model simulations for the 2000 and 2003 years (since they bound the 1 in 3 year return interval) with levels of reductions from the most recent PATH simulation repeated (Passaic CSO 87%, Hackensack CSO 70%, 10%SW in Hackensack and Passaic, since these had seasonal compliance in all grid cells), except for in the new simulations, vary in time Saddle and Dundee Enterococci concentrations as directed by EPA and the State based on the results of the review of variation in NJHDG data.

-Report Hackensack and Passaic seasonal geo mean Enterococci outputs in every grid cell for 1 in 3 year return frequency.

If EPA/State likes compliance results, run for the additional 11 years.

If non-compliance or if EPA/State doesn't like compliance results, re-run 2000 and 2003 with a different Passaic CSO reduction, check output, and then run for the additional 11 years."

Antony, Robin and I have discussed the funding need to complete this effort and the money allotted for

response to public comment support is sufficient to address the above and allow Robin to complete the TMDL document. Antony is in the process of providing our contractor verbal directions to use the public comment support money to complete the above and the development of the TMDL document. This is a short term fix that will allow HydroQual to complete the above work and provide NJDEP what it needs to move forward with the establishment and public notice of these TMDLs as quickly as possible .

The longer term fix is for Antony to add sufficient money into this contract to assure that NJDEP will have access to HydroQual for technical support and response to public comments . The good news is that we have found sufficient money to replace what will be used . While it will take time to put this money in the contract, Antony will begin the process shortly . We expect that funds will in the contract and HydroQual will be available to support NJDEP through the response to comment process .

Keeping in mind that our time frame for completing all the above work and providing NJDEP with a TMDL document is the end of February 2012, I ask that NJDEP provide EPA and HydroQual a time frame for its decision on boundary load data/approach to be used and whether that the above work outlined by HydroQual is sufficient to address NJDEP's concerns regarding the boundary loads which should be used to calculate the load reductions necessary in the Hackensack and Passaic Rivers and calculate the final TMDLs.

Once HydroQual has the boundary load data/approach it will begin the above work.

Thanks

Felix